



State-Tribal Relations Committee

63rd Montana Legislature

STRC Issue Summary: Volunteers to Conduct Spiritual Ceremonies in Prison Settings

Prepared by Casey Barrs, Legislative Analyst, Legislative Service Division

Background

- The STRC Committee spoke with Department of Corrections officials and toured the Montana Women's Prison in Billings on January 14, 2014. Included among those officials was the DOC Director, Mike Batista.
- The tour of the MWP included an interview with a panel of six Indian inmates.
- The vital importance for Indian inmates of nourishing their spiritual beliefs while incarcerated was emphasized by both the panel as well some of the corrections officials. This was expressed in terms of having access to their religious practitioners and ceremonies within the prison walls.

Issue Defined

- During interviews at the MWP facility, STRC members were informed both by corrections staff as well as Indian inmates that the scheduling of such ceremonies:
 - occurred on an inconsistent and too-infrequent basis. One of the inmates present stated that spiritual ceremonies were often held monthly at best (corrections staff concurred) but that they should be held weekly. In line with this is the conclusion in a DOC training document regarding sweat lodge ceremonies stating that, "Frequency can vary but ideally [the sweats would be held] once per week."¹
 - could not always provide ceremonial practitioners of the same tribal/cultural background of all the Indian inmates.
- Corrections officials expressed strong willingness to have qualified Indian spiritual practitioners come to the facility. They rely on volunteers to conduct there ceremonies and stated that it can be a challenge to identify and retain enough volunteers due to the facts that the work is uncompensated and can require travel over sometimes substantial

¹ Myrna Kuka and Rae Forseth, *Montana Department of Corrections Lesson Plan: American Indian Cultural Awareness*, Montana Department of Corrections, September, 2008; p.

distances. The identification and acceptance of volunteers also can involve significant security vetting.

Activity Undertaken

- STRC staff contacted both the Governor's Office of Indian Affairs as well as the MT-WY Tribal Leaders Conference and informed them of this issue. Staff asked that these two organizations take the opportunity during their very frequent travels in Indian country and through their extensive contact networks to solicit tribal leaders and communities for more such qualified volunteers.
- STRC staff suggested to these two organizations that the best place to send referrals would be to the DOC American Indian Liaison, Mr. Harlan Trombley.

Outcome /Latest Status

- Both organizations replied affirmatively that they would undertake this effort.